

VZCZCXRO7589
PP RUEH DU RUEHGI RUEHJO RUEHMR RUEHPA RUEHROV
DE RUEHDS #0723/01 0730445
ZNR UUUUU ZZH
P 140445Z MAR 06
FM AMEMBASSY ADDIS ABABA
TO RUEHC/SECSTATE WASHDC PRIORITY 9520
INFO RUCNFUR/DARFUR COLLECTIVE PRIORITY
RUEHTRO/USLO TRIPOLI PRIORITY 0093
RUEHZO/AFRICAN UNION COLLECTIVE

UNCLAS SECTION 01 OF 04 ADDIS ABABA 000723

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DEPARTMENT FOR AF/FO, AF/SPG, AF/RSA, AF/E, IO/UNP,
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LONDON AND PARIS FOR AFRICA WATCHERS

E.O. 12958: N/A
TAGS: [KPKO](#) [EAID](#) [PREL](#) [SU](#) [AU](#)
SUBJECT: AU APPROVES AMIS REHAT - NOW WHAT?

REF: A. STATE 36548 (NOTAL)

[1](#)B. ADDIS-AF/SPG EMAILS AND PHONE CALLS MARCH 9 AND
10 (NOTAL)

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[1](#)1. (SBU) Summary/Action Request: The March 10 African Union (AU) Peace and Security Council (PSC) ministerial supported transition of the AU Mission in Darfur, Sudan (AMIS) to a UN mission. The PSC extended AMIS' mandate until September 30, 2006, and set a deadline of April 30 to conclude the Abuja political talks. The AU Commission was directed to work closely with the UN on joint planning of the modalities of the transition. While Sudan hopes to avoid a Chapter VII mandate, the AU put the onus on the Sudanese parties to work with the international community to reach an implementable agreement in Abuja. Crucially, the final PSC decision does not impose firm prerequisites for UN transition, or restrictions on the UN's mandate, except to say that a decision on mandate should be the product of consultation and based on the evolving situation on the ground. Nor does it forbid the AU Commission from seeking assistance from other partners, such as NATO. The USG and other partners should provide rapid assistance to bolster AMIS, which will also require AU leadership's focus on establishing the Joint Operations Center (JOC) with necessary partner support. Africans will also expect partners to prepare African troops for joining a UN mission, and close consultation as UN mission mandate and composition develops. Post requests Department guidance ahead of a foreseen meeting with AU Peace and Security Commissioner Amb. Said Djinnit on next steps (see paragraph 5). The full PSC decision was circulated to AF/SPG and others via email. End summary/action request.

AMIS RE-HAT: CREATING SPACE FOR AN OUTCOME

[1](#)2. (SBU) In the days leading up to the PSC, Addis-based African ambassadors and AU Commission officials questioned whether the PSC would be able to reach consensus on an AMIS re-hat decision March 10. AU member states cited vehement Sudanese government opposition to transition, desire to maintain the African character of a mission in Darfur, and lack of clarity on a UN mandate, as potential sticking points. PSC members and other key stakeholders, such as Egypt, appreciated clarifications provided reftel and through AF/SPG telephone guidance to post.

13. (SBU) On March 9, AU Deputy Chairperson Patrick Mazimhaka told Charge that Sudanese FM Lam Akol would announce to the Permanent Representatives Committee (PRC, comprised of African ambassadors to the AU) that Sudan no longer opposed a transition to a UN mission, but wanted a peace agreement first (i.e., before physical deployment, according to Mazimhaka). Mazimhaka stated that the Commission intended to use this opening to secure agreement on transition and related planning March 10, while simultaneously setting out a timeframe to conclude the political talks and finalizing/enhancing AU deployment to Darfur. Separately, Egyptian Assistant Minister for African Affairs Dr. Mohamed Higazy told Charge that Sudan's statement to the PRC was a significant development, but indicated member states had still not reached consensus. According to Mazimhaka, AU Commission Chairperson Konare deployed Peace and Security Commissioner Djinnit to Brazzaville to inform AU Assembly Chair Sassou-Nguesso that the Commission would push for a heads of state-level PSC if the ministerial-level failed to produce a clear outcome.

DECONSTRUCTING THE PSC DECISION

14. (SBU) Crucially, the final PSC decision does not impose firm prerequisites for UN transition, nor does it forbid the AU Commission from seeking assistance from other partners, such as NATO. Background to key lines of the decision is outlined below:

Transition (Para 2)

"Decides to support in principle the transition from AMIS to a UN Operation, within the framework of the partnership between the AU and the United Nations in the promotion of

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peace, security and stability in Africa."

-- According to AU member state and AU Commission representatives, Sudan had argued that the PSC lacks the legal authority to hand over AMIS to the UN. AU Director for Peace and Security Geoffrey Mugumya told Poloff that PSC members all agreed to transition, but AU legal advisors added the words "in principle" to the decision because only the UNSC can authorize UN deployment. Mugumya said that partners should focus on the spirit of the decision, which supports transition and does not call for further PSC meetings to approve handover.

-- PSC Chair for March, Ethiopian FM Seyoum Mesfin, stated at the press briefing following the March 10 decision that the PSC decided on transition, but details and modalities would be worked out among the AU, UN and other actors. (Note: Amb. Djinnit sat next to Seyoum at the briefing, but made no statement. End note).

Timeframe (Para 3)

"Decides to extend the mandate of AMIS until 30 September 2006..."

-- The PSC Chair clarified during the press briefing that this date for AMIS mandate expiration could be examined based on developments on the ground and with the transition mechanism. He did not rule out the possibility of the UN taking over before or after that date.

-- Deputy Chairperson Mazimhaka indicated March 9 that the AU Commission did not want to extend AMIS for too long, in order to maintain pressure on the parties to settle the political talks.

Peace Agreement (Paras 4 and 6)

"Decides that...every effort should be made to (a) ensure early conclusion of a peace agreement..."

-- The AU Commission has long stated preference for a political settlement before handover of AMIS in order to preserve credibility of the AU's stance of "non-indifference," although the AU was clear that political settlement is not a prerequisite. According to Mazimhaka, Sudan wants a political settlement before transition in the hopes of avoiding a Chapter VII (peace enforcement) mandate under the UN Charter.

-- The PSC decision language contains measures to re-energize the political talks, such as imposing a deadline of April 30 for settlement, stressing the need for highest-level engagement by African leaders and other stakeholders, and recommending the establishment of a Committee of Heads of State and Government for that purpose.

-- Paragraph six of the PSC decision notes that a successful outcome of the Abuja Peace Talks will be a key factor in any UNSC decision on the nature of a peacekeeping operation in Darfur. (Note: The decision falls short of requiring a political settlement for transition. End note).

AMIS Posture (Para 4)

"Decides that...every effort should be made to... (b) improve the security, humanitarian and human rights situation on the ground... (and) requests the Commission to immediately take all necessary steps for the consistent, flexible, broad and robust interpretation of the mandate...in order to ensure a more forceful protection of the civilian population."

-- Ahead of the PSC decision, the AU Commission and some AU member states feared that AMIS transition would remove the parties' incentive to cooperate with AMIS. The PSC recognizes that implementation of the AU-led joint assessment mission recommendations, particularly relating to operational and tactical planning, command and control, joint operations, management, training, use of personnel and civil-military coordination, will go a long way in bolstering AMIS. (Note: The PSC does not specifically call upon the AU to accept any particular assistance, but, importantly, it does not proscribe NATO or other organization assistance. End note).

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-- The PSC demanded that the Government of Sudan refrain from conducting hostile military flights and expeditiously implement its stated commitment to neutralize and disarm the janjaweed, as well as to declare those militias over whom it has influence. The PSC also demanded that the rebel groups provide AMIS with information on their locations, ensure the security of commercial activities, and withdraw forces from contentious areas.

UN Mandate, Preparations (Paras 5 and 6)

"...Council requests the Chairperson of the Commission to continue his consultations with the United Nations, the Government of Sudan and other stakeholders on the modalities of the transition. Council further requests the Chairperson of the Commission to work closely with the United Nations Secretary-General on joint planning towards that end..."

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-- While many sub-Saharan AU member states had called for a UN mission to have a stronger mandate than AMIS (i.e. do not

replace AMIS for the sake of it), Maghreb AU member states remain opposed to a Chapter VII mandate. All member states want to see the "African character" of international presence in Darfur maintained. The UN had complained of lack of AU Commission engagement, following the January 12 PSC decision calling upon the AU to coordinate with the UN to inform a final decision in March.

-- The PSC decision calls for transition to be informed by the (stated) preparedness of the Government of Sudan to accept deployment of a UN operation in Darfur. The PSC stressed that events such as a successful outcome of the political talks, and significant improvement of the situation on the ground, be key factors in any decision on the mandate and size of a UN operation. The PSC called for continuous consultations between the AU and UN before any UNSC decision regarding the UN mission. (Note: UN logistics expert Peter McGhie will move from the Addis-based UN Assistance Cell to the AU, to New York, to help manage transition requirements, including the Darfur survey mission. According to UN officials, AU SR Kingibe will also join the UN transition effort at a later stage. End note).

-- Importantly, the PSC did not stipulate the nature of the UN mandate, except to say that it should be the product of close consultation and informed by the situation on the ground. The PSC decision more firmly calls upon the AU Commission to coordinate with the UN.

Other Items of Note

-- The PSC endorsed the February 2006 Tripoli Declaration and Agreement and urged the governments of Chad and Sudan to implement it. It requested the Commission to submit proposals on how AMIS could best assist implementation, including through necessary adjustment to AMIS' current mandate.

-- The PSC welcomed the convening of a pledging conference in Brussels to sustain and bolster AMIS in the transition period.

-- The PSC urged the Government of Sudan, the rebel movements, and the Commission to abide by UNSC 1593 and cooperate with the Office of the Prosecutor of the International Criminal Court (ICC).

-- The PSC authorized the Commission to convene an emergency Joint Commission meeting in Addis Ababa to "take necessary and appropriate measures against any party that is found responsible for the escalation of violence in Darfur."

COMMENT: GOOD RESULT, INTENSE FOLLOW-UP NEEDED

15. (SBU) Comment/action request. The March 10 PSC decision provided a basis for the international community to plan a UN transition while simultaneously pressing for a political settlement and bolstering AMIS. Before the decision, Addis-based partner representatives had already begun to focus on the immediate task of ensuring AMIS does not falter in a transition period. Recognizing that much of what it takes to improve AMIS relies more on AU leadership than

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tangible assets partners can provide, heads of mission have requested a meeting with Amb. Djinnit in the near future to get his urgent backing for several initiatives. Post requests Department guidance in advance of the meeting with Amb. Djinnit, but offers suggestions of focus below.

JOC

-- AU-led joint assessment missions have stressed the

importance of rendering AMIS a truly joint mission with more solid command and control. The Joint Operations Center (JOC) is the key to this initiative, but has suffered delays due to disagreements on its structure. Many lower-level items required to bolster AMIS depend foremost on JOC operationalization. Partners need leadership from Amb. Djinnit to enable JOC setup and his authorization of partner technical assistance. (Note: Expanded NATO assistance for AMIS is still a sensitive topic, but may be pushed forward on a limited scale if framed in terms of training, with NATO experts providing on-the-job assistance for command and control functions. End note).

Deputy Head of Mission

-- Partners assess that lack of a permanent and forceful Deputy Head of Mission (DHM) has a negative impact on consistent implementation of AMIS concept of operations and rules of engagement (i.e. a single vision for the mission). Amb. Djinnit should commit to deploying a qualified, permanent DHM as soon as possible.

Technical Committee

-- The technical committee set up by the AU's Darfur Integrated Task Force (DITF) has developed a timeline for implementation of recommendations made by the December 2005 joint assessment mission. This timeline should be prioritized, and AU leadership must give the necessary support to achieve reforms. For example, Canadian experts stand ready to train AU staff on information collection, analysis, production and dissemination, but are still waiting for African counterparts.

AMIS Media Strategy

-- AU media experts responsible for AMIS public diplomacy activities met March 9 with PAO, poloff and Canadian poloff to discuss how to manage AMIS media strategy during a transition and to render AMIS media outreach more proactive (septel). Partners should emphasize the importance of immediately implementing improvements to AMIS public outreach, and inform Amb. Djinnit of which partners will provide AMIS with necessary equipment and technical assistance.

Tangibles

-- Partners should come to the meeting with Djinnit prepared to share information on what they are prepared to do to bolster AMIS, as well as to ensure that AMIS troops are capable of being re-hatted. Details on financial pledges could wait until the Brussels pledging conference, though the AU must be reassured that the USG and others will deliver on key enablers for AMIS as well as ensure AMIS can meet its cash requirements with more predictability.

Continuing Dialogue

-- Both the AU Commission and its member states will expect close consultation as UNSC deliberations regarding UN deployment progress. The AU will also expect continued high-level key partner focus on securing a political settlement.

16. (U) Tripoli: MINIMIZE considered.
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